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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/697,281

10/31/2003

Kazuo Okada

SHO-0055

8441

23353 7590 07/18/2011
RADER FISHMAN & GRAUER PLLC
LION BUILDING
1233 20TH STREET N.W., SUITE 501
WASHINGTON, DC 20036

EXAMINER

PINHEIRO, JASON PAUL

ART UNIT

PAPER NUMBER

3717

MAIL DATE

DELIVERY MODE

07/18/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10/697,281	31 October 2003	OKADA, KAZUO	SHO-0055

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EXAMINER

JASON PINHEIRO

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20110713

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Commissioner for Patents

1. The amendment filed on 04/28/2011 amending all claims drawn to the elected invention and now presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because newly amended claims 5, 10, 16, 38 and 44 are directed to an invention that is independent or distinct from the invention originally claimed. 806.05(j) discloses that: The inventions are distinct if the inventions as claimed: (A) do not overlap in scope, i.e., are mutually exclusive; (B) the inventions as claimed are not obvious variants; and (C) the inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect. In the instant case the currently presented claims have a different mode of operation (i.e., wherein if the power source relat device fails to feed the relayed power to the display device while the power source feeding device remains operative...the image control device commands the portions of the display device...the wagering game is visible through the portions of the display device) See MPEP § 802.01. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. It is understood that the independent claims are currently claims 5, 10, 16, 38 and 44.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Pinheiro whose telephone number is (571) 270-1350. The examiner can normally be reached on M-Th: 7-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Melba Bumgarner can be reached on 571-272-4709. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Melba Bumgarner/
Supervisory Patent Examiner, Art Unit 3717

/Jason Pinheiro/
Examiner, Art Unit 3717

